

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

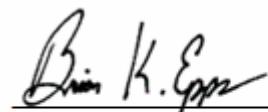
MICHAEL JEROME WHITE; CYNTHIA)
WHITE GREEN; MONEE JACKSON; and)
THERESA WHITE COOPER, as surviving)
children of David E. White, Sr., deceased,)
)
Plaintiffs,)
)
v.) CV 119-127
)
UNITED STATES OF AMERICA,)
)
Defendant.)

O R D E R

Plaintiffs filed the above-captioned case on August 13, 2019. (Doc. no. 1.) The ninety days allowed for service has elapsed, and there is no evidence in the record Defendant has been served. Indeed, there has been no case activity docketed since Plaintiffs filed this suit. Rule 4(m) empowers courts with discretion to extend the time for service when a plaintiff demonstrates good cause for failing to timely serve process or any other circumstances warrant an extension of time. Henderson v. United States, 517 U.S. 654, 662-63 (1996); Lepone-Dempsey v. Carroll Cty. Comm'rs, 476 F.3d 1277, 1282 (11th Cir. 2007); Horenkamp v. Van Winkle & Co., 402 F.3d 1129, 1132 (11th Cir. 2005). Accordingly, Plaintiffs shall have fourteen days from the date of this Order to explain the reason(s) for the delay in service of process and why this case should not be dismissed without prejudice for failure to timely effect service. The Court **DIRECTS** the Clerk of Court to attach a copy of

Rule 4(m) to this Order for Plaintiffs' perusal.

SO ORDERED this 7th day of February, 2020, at Augusta, Georgia.



BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA